

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 08-0896 MHP

Plaintiff(s),

**ORDER REVOKING SUPERVISED  
RELEASE AND JUDGEMENT**

v.

MICHAEL RYAN MCPHERSON,

Defendant(s).

This matter came on pursuant to an Order to Show Cause why supervised release should not be revoked. Defendant appeared in person with his attorney Brendan Conroy. The United States was represented by Assistant United States Attorney Benjamin Tolkoff.

The defendant was advised of the following:

1. His right to a hearing on the alleged violations of supervised release;
2. His right to confront and cross-examine witnesses;
3. His right to produce evidence and witnesses at the hearing without cost to him if he could not afford the same;
4. His right to continue to have court appointed counsel represent him throughout the proceedings; and
5. The nature of the revocation proceedings and the consequences if a violation was found and supervised release revoked or modified.

The court finds that defendant was fully advised of his constitutional and statutory rights in connection with these proceedings either as a basis for modification or revocation; that he fully understands the nature of the proceeding and the defenses that he may assert in the proceeding; that he fully understands the consequences of the proceeding; and that he freely and voluntarily waives

1 his right to a hearing, his counsel consenting thereto.

2 The court finds that the defendant has admitted to the violations as alleged in the petition to  
3 revoke and that such violations are sufficient cause to revoke supervised release.

4  
5 Charge 1: Violation of Standard Condition Seven with states in part that defendant shall  
6 not use a controlled substance in that on or about July 9, 2010, defendant  
7 submitted a urinalysis sample which returned positive for the presence of  
8 amphetamine/methamphetamine on July 23,2010.

9 Charge 2: Violation of Standard Condition which states that defendant shall not commit  
10 another Federal, State, or local crime in that on or about August 25, 2010,  
11 USPO found a postal key, several pieces of mail, and credit cards not  
12 belonging to defendant at defendant's residence, in violation of 18 USC §§  
13 1704 and 1708.

14 Based on the foregoing,

15 IT IS ADJUDGED that Supervised Release is hereby REVOKED and defendant is  
16 sentenced to a term of six (6) months custody Bureau of Prisons, to be served consecutively to the  
17 sentence imposed in CR 10-0735 MHP. No further term of supervised released is ordered in this  
18 action.

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21 Dated: January 25, 2011

  
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MARILYN HALL PATEL  
United States District Court